

To: nswcsi@nswcsi.org[nswcsi@nswcsi.org]
Cc: mBloomberg@cityhall.nyc.gov[mBloomberg@cityhall.nyc.gov]; govcuomo.office@nygovoffice.gov[govcuomo.office@nygovoffice.gov]
From: nswc
Sent: Mon 3/25/2013 6:20:04 PM
Subject: Fwd: Star Ledger: 70 firms devise strategy to quash EPA's plans for Passaic River cleanup

For Staten Islanders the Lower Passaic River runs into Newark Bay which runs into the Kill Van Kull and Arthur Kill. We have residents who catch and eat the fish from both of these rivers. Please scroll down to read the article.

Beryl A. Thurman, Executive Director/President
NSWC
Creating Livable Communities

Credit and Debit Card Donations to NSWC can be made through the NSWC website below...
www.nswcsi.org

SAVE ALL OF ARLINGTON MARSH!

To stop receiving e-mails from the North Shore Waterfront Conservancy of Staten Island. Please REPLY to this message with the word UNSUBSCRIBE in the message Box.

The North Shore Waterfront Conservancy of Staten Island, Inc. (NSWC or NSWCSI) is a 501-C3, Public Charity all donations are tax deductible to the full extent of the law.

The North Shore Waterfront Conservancy of Staten Island, Inc., P.O.Box 140502, Staten Island, NY. 10314

-----Original Message-----

From: Kluesner, Dave <kluesner.dave@epa.gov>

To: Undisclosed recipients;;

Sent: Mon, Mar 25, 2013 9:52 am

Subject: Star Ledger: 70 firms devise strategy to quash EPA's plans for Passaic River cleanup

http://www.nj.com/politics/index.ssf/2013/03/passaic_river_cleanup_epa_plan.html

70 firms devise strategy to quash EPA's plans for Passaic River cleanup

**By Ryan Hutchins/The Star-Ledger
on March 24, 2013 at 8:35 AM**

TRENTON — It was January when the letters started showing up at the Environmental

Protection Agency's regional office in Manhattan.

First, the Hudson County executive sent one. A few weeks later, state Sen. Paul Sarlo wrote one. So did the mayor of Wallington. The words were the same, the letterhead different. The message was clear: We oppose all of your potential solutions for cleaning the highly contaminated Passaic River.

The form letter was given to the officials by a group of 70 companies considered potentially responsible for pollution in the river. The corporations have agreed to cooperate to develop a plan for cleaning up the waterway, but they don't like the federal government's ideas, which all involved agree could cost these and other companies hundreds of millions more.

The Star-Ledger has learned the companies have been courting public officials and local groups in an effort to generate support for their own less-costly cleanup project — one environmentalists and EPA administrators doubt would work.

And at the same private meetings where they pitch their solution for cleaning up the river, public relations specialists hired by the companies have also invited municipal officials and community leaders to apply for grants they are offering to fund improvement projects, according to several people who attended. At some of the meetings, grant applications were handed out, they said.

"What (the companies) are doing is misleading because it's not a remedy that has sound science behind it, that has really been shown through modeling and science that it can be protective of human health," said Debbie Mans, the executive director of the NY/NJ Baykeeper. "They're putting pressure on elected officials and community groups to support this remedy — putting money into communities to bolster this support."

Some communities where officials sent letters opposing the EPA's plan have received grants from the companies or are being considered for funding, according to copies of letters to the EPA and a list of grants provided to The Star-Ledger.

Hudson County got \$50,000 to help update its open space, recreation and historic preservation plan. Wallington applied for but has not received a grant to fund debris removal and river access improvements. As a state senator, Sarlo represents Lyndhurst and Rutherford, where the companies have made grants totaling \$175,000.

In their letters to the EPA, the officials say they support the general concept of the companies' plans while opposing what the federal agency is considering.

Jonathan Jaffe, a spokesman for the corporations, said Mans' contention that they are crossing a line by offering grants in their pitch to oppose the EPA plan is "a mischaracterization."

Jaffe said the companies have a team of scientists who believe their solution is better than the ones considered by the EPA. He said there's no quid pro quo — groups that refused to support the company's cleanup plan have received grants, while some that do support it have not.

The companies have distributed grants totaling \$630,000 to governments and community groups since October 2011, Jaffe said. The grant projects range from landscaping along the river in Rutherford to holding a series of free river tours for Newark residents.

"Funding is given for projects that are tied to the river and will help improve the watershed," Jaffe said. "There is a national debate about how best to address making rivers better."

The lower portion of the Passaic River, which slices through cities and suburbs in Passaic, Bergen, Essex and Hudson counties, is among the most contaminated waterways in the world. It's filled with a murky stew of cancer-causing chemicals that stretch for miles.

Parts of the river near Newark are choked by dioxin, a byproduct of Agent Orange that now-defunct Diamond Shamrock Chemicals produced for the military during the Vietnam War. The companies that succeeded Diamond Shamrock are not part of the group involved in planning cleanup work.

For years, the EPA and other environmental agencies have been studying what to do about the Superfund site, which stretches for 17 miles and once topped the agency's National Priority List. EPA officials say they are now zeroing in on what they consider the best solutions and plan to make a public proposal by the end of this year.

The EPA is considering three options that would focus on the most polluted, 8-mile portion of the river. All would involve dredging the bottom of the river and take from three to 12 years to complete. The price tags range from around \$400 million to \$3.5 billion.

The cooperating companies are proposing an alternative that would involve all 17 miles of contaminated river but would focus only on pollution hot pots. Jaffe said it would be less disruptive to communities along the river, cost hundreds of millions less than other alternatives and could be finished in five years.

In their letters to the EPA, the public officials said one reason they are attracted to the companies' plan is because it involves all 17 miles of the river's contaminated section. Sarlo (D-Bergen) — also the mayor of Wood-Ridge, which is not directly on the river and received no grant money — said he signed the letter because he's not happy with the EPA's study and thinks the companies' plan should be taken seriously.

"They're looking at the entire stretch instead of having this very limited focus," he said. "It should be a much wider study."

Wallington Mayor Walter Wargacki said he's frustrated the portion of river that runs through his working-class community isn't being looked at by the EPA. He said he doesn't understand how cleaning the southern part of the river would be of any benefit to communities to the north.

"My thing is that they're focusing on eight miles of the lower Passaic River — they're not extending the study up to the tidal portion," he said. "When I was a kid, we used to go swimming in the Passaic River. And when I became a teenager, you had to go home and take a shower after you go for a swim."

The mayor said he did not feel pressured to support the companies' plans for a cleanup or influenced by the invitation to apply for a grant.

The companies — which range from the Tiffany and Co. jewelry chain to the Otis Elevator Co. — are already starting some dredging work on the river in Lyndhurst on a smaller project approved by the EPA. The project is proof that concentrated areas of pollution can be located on the river, Jaffe said. "Each time we test our model in the

river, we find that it is sound," he said.

EPA officials say they are overseeing how the companies conduct the study to make sure it follows legal guidelines and is using sound science. They say the companies' plan is flawed, and that the companies' assertion that it could eliminate 80 percent of the dioxin in the river has not been proven.

"Doing such an approach would not give us a reduction in risk that would be acceptable or would be even close to" the EPA's plans, said Ray Basso, director of the EPA's Lower Passaic River Project.

Even if the companies were able to prove the effectiveness of their alternative, it would need to be accepted by the EPA, which could implement it. Officials said reaching that point would take a lot longer than it will take to settle on one of the EPA's proposed plans. The agency expects to have a final decision in about a year.

"The (companies') plan isn't even close to the proposal-plan stage," said Alice Yeh, the EPA project manager, "so they're nowhere."